

# BUREAU OF PENSIONS,

ITS OFFICERS AND THEIR DUTIES.

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THE MANNER IN WHICH THE WORK OF ADJUDICATING  
CLAIMS IS PERFORMED.

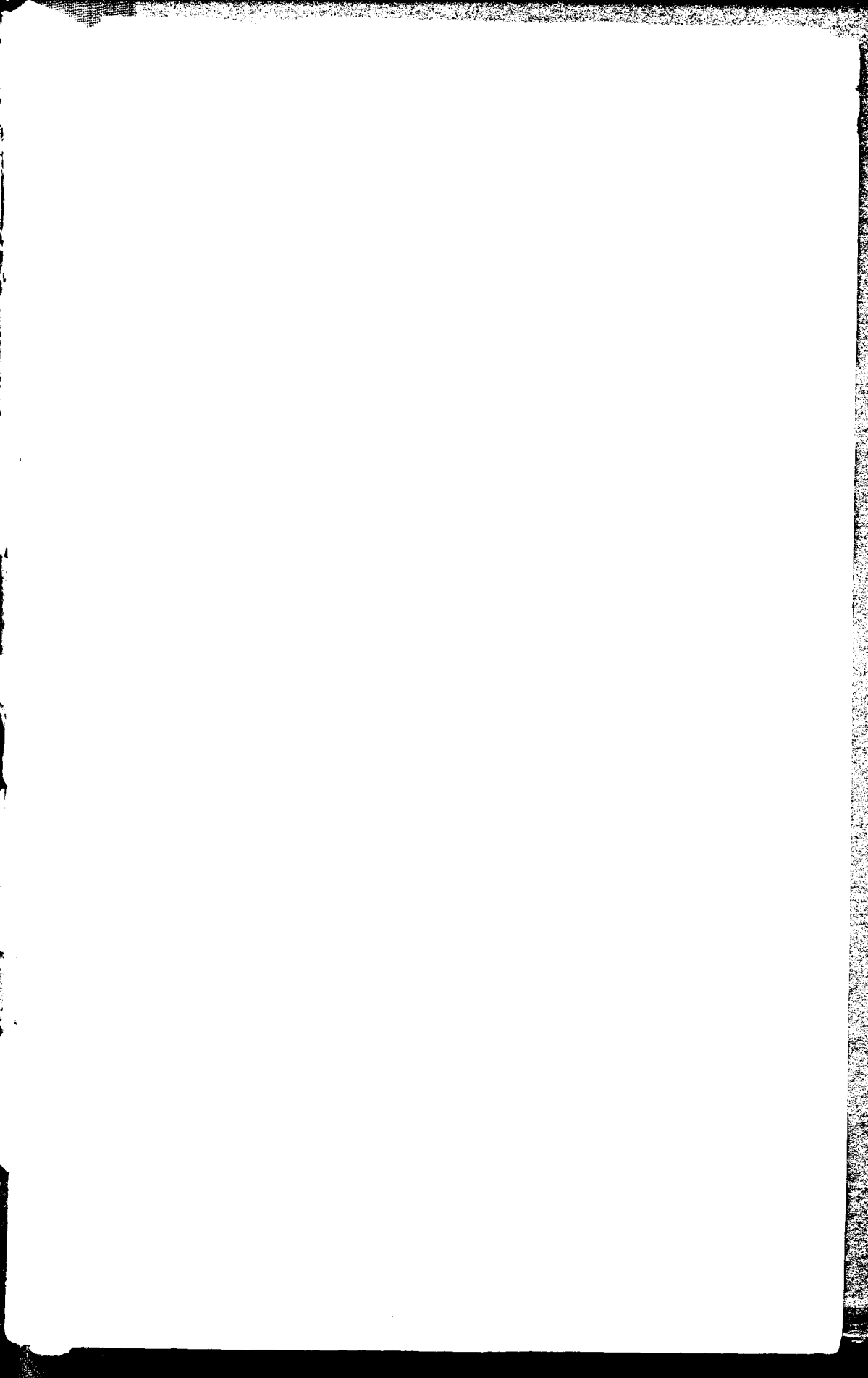
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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.

1890.



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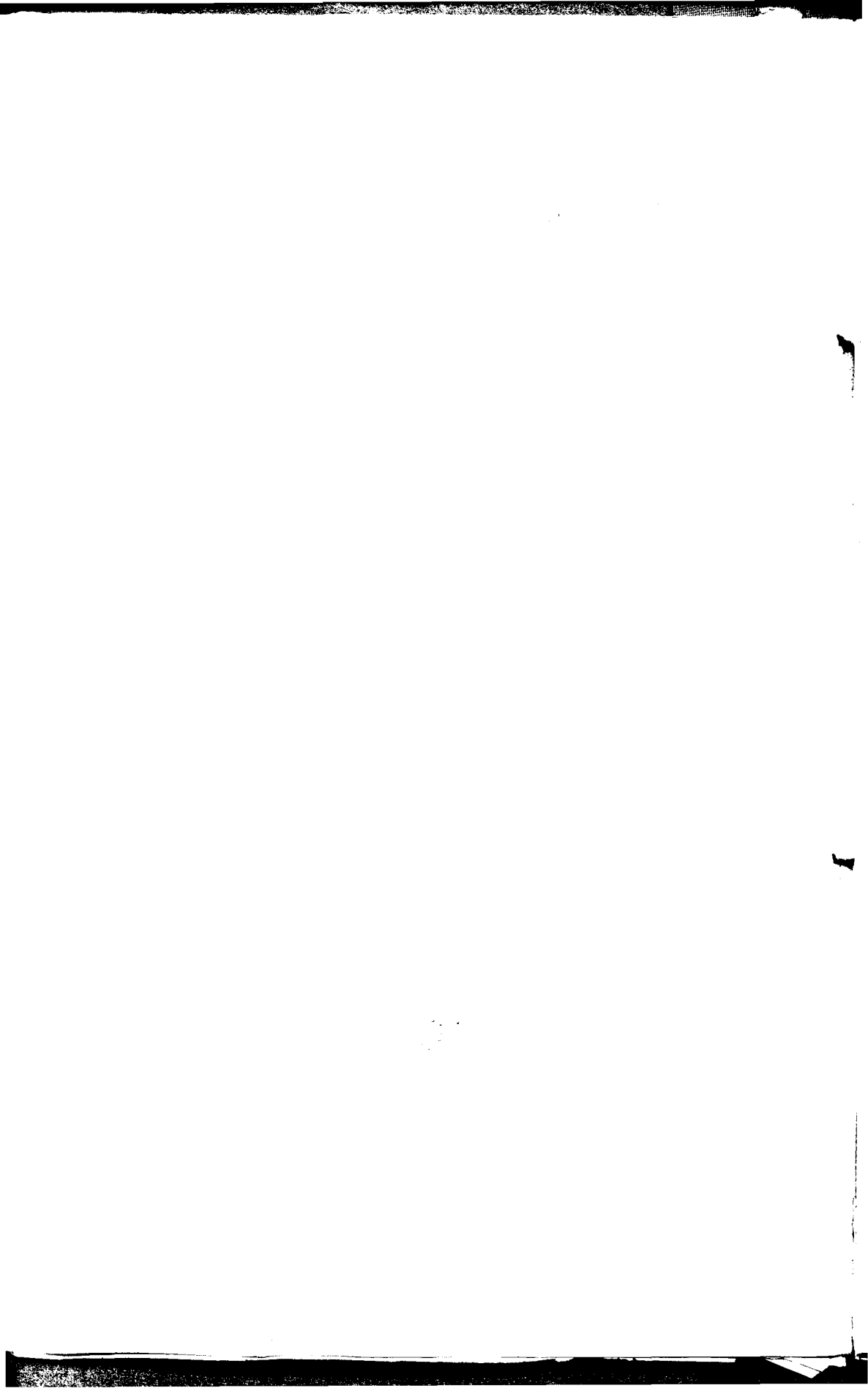
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CLAIMS IS PERFORMED.

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PREPARED BY DIRECTION AND UNDER THE SUPERVISION OF  
THE COMMISSIONER.

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## OFFICERS OF THE BUREAU.

Commissioner .....	GREEN B. RAUM.
First Deputy Commissioner.....	ANDREW DAVIDSON.
Second Deputy Commissioner.....	CHARLES P. LINCOLN.
Chief clerk .....	ABIAL W. FISHER.
Assistant chief clerk.....	GREEN B. RAUM, JR.
Medical referee.....	THOS. D. INGRAM.
Assistant medical referee.....	JOHN K. BOUDE.
Law clerk.....	MARTIN B. BAILEY.
Board of Review, chief.....	J. R. VAN MATER.
Special Examination Division, acting chief.....	F. G. BUTTERFIELD.
Old War and Navy Division, chief.....	CHAS. W. FILER.
Eastern Division, chief.....	WARNER WILHITE.
Middle Division, chief.....	WM. M. REYNOLDS.
Western Division, chief.....	RICHARD A. DURNAN.
Southern Division, chief.....	FRANK H. ALLEN.
Record Division, chief.....	WM. H. BARKER.
Certificate Division, chief.....	LEVERETT M. KELLEY.
Finance Division, chief.....	WM. B. SHAW, JR.
Mail Division, chief.....	T. MANELL HERMANN.
Stationery Division, chief.....	MCKENDREE DOWNHAM.
Army and Navy Survivors Division, chief.....	SAMUEL L. TAGGART.



## BUREAU OF PENSIONS.

*Number and classification of employes allowed by law.*

Classification.	No.	Salary.
Commissioner.....	1	\$5, 000
First Deputy Commissioner.....	1	3, 600
Second Deputy Commissioner.....	1	3, 600
Chief clerk.....	1	2, 250
Assistant chief clerk.....	1	2, 000
Medical referee.....	1	3, 000
Assistant medical referee.....	1	2, 250
Law clerk.....	1	2, 000
Qualified surgeons.....	2	2, 000
Chiefs of divisions.....	12	2, 000
Principal examiners.....	60	2, 000
Assistant chiefs of divisions.....	24	1, 800
Medical examiners.....	38	1, 800
Stenographers.....	3	1, 600
Clerks of class 4.....	77	1, 800
Clerks of class 3.....	98	1, 600
Clerks of class 2.....	376	1, 400
Special examiners.....	150	1, 400
Clerks of class 1.....	481	1, 200
Clerks class \$1,000.....	338	1, 000
Copyists.....	200	900
Superintendent of building.....	1	1, 400
Engineers.....	2	1, 200
Cabinet-maker.....	1	900
Painter.....	1	900
Messengers.....	33	840
Assistant messengers.....	12	720
Messenger boys.....	20	400
Captain of watch.....	1	840
Sergeants of watch.....	3	750
Watchmen.....	20	720
Firemen.....	3	720
Laborers.....	25	660
Charwomen and female laborers.....	20	400
Total.....	2, 009	

### TOTAL OFFICIAL FORCE.

The official force of the Bureau of Pensions now authorized by law.....	2, 009
There are 18 Pension agents and 419 persons employed at said agencies; in all.....	437
There are 1,028 boards of medical examiners, of three persons each, and 383 single surgeon examiners; in all.....	3, 467
Total number of persons employed in connection with the Bureau of Pensions.....	5, 913





## BUREAU OF PENSIONS, ITS OFFICERS AND THEIR DUTIES.

### THE COMMISSIONER.

The Commissioner of Pensions supervises the examination and adjudication of all claims arising under laws passed by Congress granting either bounty land or pension on account of service in the Army or Navy during the Revolutionary war, and all subsequent wars in which the United States has been engaged. The following named divisions of the Bureau are under his immediate supervision: Appointment Division, Medical Division, Law Division, Board of Review, Special Examination Division, Certificate Division, and Finance Division.

All pension certificates and warrants for bounty land and all letters rejecting claims are brought to the desk of the Commissioner for signature.

### FIRST DEPUTY COMMISSIONER.

In the absence of the Commissioner his duties devolve upon the First Deputy Commissioner.

The First Deputy Commissioner supervises the business arising in the following named divisions of the Bureau: Eastern Division, Southern Division, and Army and Navy Survivors' Division.

All cases involving intricate questions of law or of fact arising in the afore-named divisions are examined and brought by him to the attention of the Commissioner for his action.

All claims involving a large first payment, and all claims involving monthly payments of more than \$12 arising in said divisions, are examined and brought to the attention of the Commissioner by the Deputy Commissioner, in conjunction with the proper head of division. He also has jurisdiction to re-open claims in the divisions assigned to his charge, and, in all cases where evidence is filed for the re-opening of cases, the heads of adjudicating divisions present a brief statement of the facts on slips for the action of the Deputy Commissioner, who notes his action thereon, whereupon the claimant is immediately informed by letter of the action of the office. Claims whose rejection has been affirmed by the Department are submitted, with the additional evidence, to the honorable Secretary for approval before being re-opened.

## SECOND DEPUTY COMMISSIONER.

In the absence of the Commissioner and First Deputy Commissioner, the duties of Commissioner devolve upon the Second Deputy Commissioner.

The Second Deputy Commissioner is charged with the supervision of the business arising in the following named divisions of the Bureau: Middle Division, Western Division, and Old War and Navy Division. His duties with reference to these divisions are the same as those of the First Deputy Commissioner.

## CHIEF CLERK.

The chief clerk has general supervision of the business of the Bureau and the assignment of its force. It is his duty to see that proper discipline is maintained and that the business is conducted in an orderly and business-like manner; also to see that the duties of the other clerks are distributed with equality and uniformity, according to the nature of the case, and to revise such distribution from time to time for the purpose of correcting any tendency to undue accumulation or reduction of duties; also to see that a proper and prompt acknowledgement is made of all letters and documents received, and that claims are taken from the files for consideration in their proper order as to precedence.

The chief clerk is also charged with the duty of keeping a record of the time of each employé of the Bureau, and he supervises and certifies all applications for leaves of absence. He examines and approves all requisitions upon the Interior Department for miscellaneous supplies and signs all requisitions for stationery.

The chief clerk has the supervision of the following-named divisions: Record Division, Stationery Division, Mail Division, and Admitted Files. He has general supervision of the mail that does not require the personal signature of the Commissioner, receives and distributes the Departmental mail, and promulgates and keeps on file all orders of the Commissioner and of the Secretary of the Interior.

Employés not assigned to other divisions are charged to this division, including engineers, firemen, and watchmen. Total number at present, 100.

## ASSISTANT CHIEF CLERK.

The assistant chief clerk is acting chief of the Appointment Division, and the division is under the direction of the Commissioner.

This division has charge of all papers relating to the appointment of the entire official force of the Bureau of Pensions, including the Board of Medical Examiners, and of all papers relating to promotions. It is also charged with the preparation of the pay-rolls of the Bureau, and has supervision of the superintendent of the Pension Office building and of the force of laborers for the care of the building.

Number of employés: 1 acting chief of division, 11 clerks, 1 superintendent, 45 employés.

The rooms of the aforementioned offices are open to the public for the transaction of business pertaining to the Bureau during office hours.

#### MAIL DIVISION.

The Mail Division has charge of the incoming and outgoing mail. Upon its receipt the mail is assorted into classes, as may be indicated on the envelope, letters marked "personal" and reports of examining surgeons and special examiners being separated from the rest. The mail is then counted and, excepting the classes mentioned above, opened and distributed for examination. The contents are scanned with sufficient care to determine the nature of all papers therein, and the same are acknowledged to the sender by card, excepting original applications unaccompanied by any other papers. The papers are then indorsed with the name of the division, or, when mis-sent, with the name of the Bureau to which they pertain. The date of filing is stamped thereon, and they are made up into packages for distribution to the different divisions.

Letters marked "personal" are delivered unopened, as addressed, and those marked for the Medical and Special Examination Divisions are sent there.

Applications for accrued pension, letters from other Departments, and all letters containing money are recorded in books kept for that purpose.

The daily counts of mail matter are classified and recorded.

Applications and evidence filed under the act of June 27, 1890, are separated from the other papers.

The outgoing mail is counted and examined to see that the letters are sealed and properly addressed.

Letters addressed to foreign countries are made up into separate packages and the requisite postage stamps affixed.

Number of employés: 1 chief of division, 1 assistant chief of division, 48 clerks and messengers.

#### RECORD DIVISION.

This division keeps a record of all claims received by both numerical and alphabetical records. The work is classified as follows: Verifying statement of service from State rosters, jacketing, searching the records for duplicate claims, numbering, and recording all original applications.

Jacketing all applications for increase.

Briefing evidence, letters of inquiry, and assorting and distributing the same to the proper division.

Notifying claimants and attorneys of the receipt and numbers of original claims or notifying them when no claim is found and calling for further data.

Copying data from face of original jackets and recording certificate numbers on State, combination, and certificate records.

Verifying the work on jackets, correcting services and numbers on records, and recording the Mexican war applications on alphabetical and combination records, the admitted cases (Mexican war) upon alphabetical, combination, and certificate records, and the rejected cases (Mexican war) upon alphabetical records.

All original applications (war of 1861-'65) and applications for increase of pension are received in this division direct from the Mail Division. The original claims are jacketed numbered, and recorded. Those for increase are simply jacketed and forwarded to their proper divisions.

This division also supplies from the records the name, number, or service to each piece of evidence or letter of inquiry, when that important data is omitted, in order that it may reach as speedily as possible the case for which it is intended.

Upon receipt of an application for pension the various steps taken by this division are as follows: The service alleged by applicant is verified from State roster, and all additional services are supplied when omitted by applicant. It is then jacketed, giving name, service, or services, post-office address of applicant, dates of enlistment and discharge, date of filing claim, attorney's name and address, after which a careful search is made on the State records to ascertain whether or not a prior application has been filed. If found to be a duplicate it is marked as such and forwarded to the original case; if original it is numbered and recorded upon the State, alphabetical, and three-letter combination records, and the claimant and attorney are notified of the receipt and number of application. A copy is made of the face of the jacket for preservation in the files of the division, after which the case is sent to the Law Division to determine whether the attorney named is admitted to practice.

It is the duty of this division to jacket all applications for increase of pension, placing the name, certificate number, post-office address, service, date of application, disability, attorney's name and address, upon the face of the jacket. Should any important date be omitted in the application, it is supplied from the records. They are then assorted and forwarded to their proper divisions.

Admitted cases are received from the Certificate Division, and from these the certificate numbers are recorded upon the State records. In cases where the applicant alleges more than one service, the certificate is entered in each service, the letter "P" being affixed to the pensionable service. All admitted cases, after being recorded, are forwarded to the admitted files.

From slips furnished by the Certificate Division, the certificate num-

bers are also recorded upon the three letter combination and certificate records. The division also keeps a record of all cases forwarded to the pension committees of the Senate and House of Representatives, and of the special acts passed in such cases.

Number of employes: 1 chief of division, 1 assistant chief of division, 158 other employes.

#### OLD WAR AND NAVY DIVISION.

The following classes of claims are assigned to this division:

Old war (all prior to 1861, including Mexican war, act of January 29, 1887), Navy, bounty-land, 1812 service pensions, regular Army, Veteran Reserve Corps, Veteran Volunteers (Hancock's Corps), United States Volunteers (recruits from Confederate regiments), Provost Marshal's Department, generals and staff officers of volunteers, Mississippi Marine Brigade, Ram Fleet, Gun-boat Flotilla, and miscellaneous United States organizations and officers.

In a large number of the claims adjudicated by this division, the same rules apply as in the other adjudicating divisions.

The following classes of claims belong exclusively to this division:

(1) Bounty-land; warrants being granted therefor for military service, or to teamsters and wagon-masters in wars prior to March 3, 1855.

(2) Pensions for disability or death resulting from army service prior to March 4, 1861.

(3) Pensions for disability or death resulting from all naval service down to the present time.

(4) Pensions for service only in the Revolutionary war, the war of 1812, and the war with Mexico.

(5) Pensions for disability or death resulting from service in the regular Army, and in all organizations not belonging to any State or Territory (except colored troops and Indian home guards), and from service as general officers, as staff officers of volunteers not connected with State or Territorial organizations in the war of the Rebellion.

Applications for bounty-land, and for pensions on account of service prior to March 4, 1861, and for service in the Navy, are received direct from the Mail Division and are treated substantially as described in the operations of the Record Division.

Call for reports of service and disability are made on the different bureaus of the War, Navy, and Treasury Departments, as the nature of the claim may require.

All claims for Mexican war service pensions under the act of January 29, 1887, are reviewed in this division, and, when approved, are sent direct to the Certificate Division.

Number of employes: 1 chief of division, 1 assistant chief of division, 78 other employes.

## EASTERN DIVISION.

This division is charged with the adjudication of all claims arising from service in organizations from the New England States, New York, New Jersey, and Delaware.

Upon the receipt of claims for pension from the Record Division they are arranged in file cases in numerical order.

When examiners require work the cases are drawn from the files in their order and charged to the examiners to whom delivered. In order that trace of the claim may be kept a slip is retained in the files containing the number of the claim, name, and service of the soldier, name of the examiner to whom the case is assigned for adjudication, and the date when first charged from the files. On this slip is also noted any subsequent disposition of the case.

The first step taken by an examiner towards the adjudication of a claim for invalid pension is to ascertain whether the declaration of the claimant is properly executed and sufficient as to its allegations; then a call is made on the War Department for a report showing the military history of the soldier, the hospital treatment, if any, and, at the same time, an order is sent to claimant or to his attorney, if he has one, for claimant to appear for examination before a board of United States examining surgeons at some point adjacent to his place of residence. If the claim is based upon a disability arising from disease contracted in service a call also issues for medical testimony, if obtainable, showing the physical condition of the soldier with respect to the disease on which the claim is based at the date of his discharge, and continuously thereafter to date. If the records of the War Department fail to furnish any evidence as to origin in line of duty, or existence in service, of the disability alleged the claimant is required to establish these points by the testimony of either officers or comrades having personal knowledge of the facts, who are required to set forth in their affidavits all the circumstances under which the disability was incurred. Upon receipt of this evidence a call is made on the War Department for a report showing whether officers or comrades who testify were present at the time and place to which their affidavits have reference.

It is frequently necessary to hold correspondence with witnesses in order to elicit information not embraced in their testimony, or to further test their means of knowledge in numerous instances where they have failed to corroborate their sworn statements in their replies to official letters of inquiry. The credibility of witnesses is ascertained by correspondence with the postmasters at their homes, except in cities with a population of over 10,000, and then through some other medium to be designated when the necessity arises.

In claims filed on or subsequent to July 1, 1880, if the board of surgeons by which claimant was examined report that they find no evidence of the existence of disability from the cause or causes alleged,

the claimant is advised of the fact, and, further, that he will be allowed to file evidence showing that he is in some degree incapacitated for the performance of manual labor by reason of such cause or causes.

In claims on account of gunshot wounds or injuries, if the records of the War Department fail to show that the disability was incurred in the line of duty, there is required to be filed evidence showing the time, place, and all the circumstances of the incurrence of said wound or injury, in order that the question involved may be properly determined.

Where the claimant can not furnish evidence to prove the origin of his alleged disability in service, owing to his inability to ascertain the whereabouts of officers or of comrades who would be likely to have knowledge of its incurrence, the examiner has recourse to the records of the Army and Navy Survivors' Division, from which a list of names and post-office addresses of officers or of comrades is obtained and forwarded to the claimant.

Widows' claims require the same character of testimony as that already cited, together with proof showing marriage, dates of births of all children under sixteen years of age at date of soldier's death, and date and cause of the death of the soldier.

In claims of minor children the same character of evidence is required as in widows' claims, with the addition of testimony showing either the death or the remarriage of the widow, and that no other children under sixteen years of age, at the date of soldier's death, are now living.

In cases of dependent parents and of minor brothers and sisters the same kind of testimony is required to establish title to pension as in invalid claims, but in addition thereto, it must be shown that the soldier left no widow nor minor child, that he bore to claimant the relation alleged, and that claimant was dependent upon the soldier in whole or in part for support at the time of the soldier's death, and during the period for which pension is claimed.

Claims for new disability are treated as original claims, so far as proof is concerned, and must be proved in the same way.

The nature of all correspondence had in a claim is noted on its jacket, together with the date of the same, and the name of the person with whom correspondence is held. After such action has been had the claim is returned to the files, where it rests until the testimony called for shall have been received, or until it shall have been called up by letters of inquiry concerning its status.

When, in the opinion of the examiner, the evidence requisite to the proper adjudication of a claim has been received, all the evidence is compiled and indexed for convenient review, a face-brief made, and the claim forwarded to the Board of Review. The connection of the examiner with the claim now ceases, except when it has been rejected by the Board of Review, or where the recommendation of the examiner has not been concurred in by said Board. If rejected, the claim is returned

to the examiner, in order that notification of the rejection may be sent to the parties in interest. If the claim is returned by the Board of Review for further evidence, it is given such consideration, and calls are made for such further evidence as may be required.

The requirements under the act of June 27, 1890, are prescribed in order 162, appended.

A list of cases known as the "completed files" is kept in each of the adjudicating divisions. Placing a claim on these files shall not be considered as a favorable adjudication of the claim. This arrangement is intended simply to secure the consideration of such claims as are apparently completed at the earliest possible date. The "completed files" are arranged so as to separate the original from the increase cases. Claimants, or their attorneys of record, may apply to the Commissioner of Pensions to have their claims placed on this list. Such applications must set forth the facts that are proved in the case (as provided by order 151, which will be furnished on application), and that the claim, in their opinion, is fully made out and complete. These claims will be considered in the order of the dates at which they are so placed.

All calls for evidence are made upon blanks which shall indicate by number the nature of the call; and a record of each call is made upon a card opposite the number on the card, corresponding with the number of the call in the blank. Claimants and their attorneys are requested to prepare their evidence in response to these calls, according to the number, and to indorse on the back of the evidence "Reply to call No. —, —, 18—." These "calls for evidence" cards are strapped to the case, and as the evidence in reply to the call is received the file clerks immediately record the date of the receipt of the evidence at the proper number of the call, and this new evidence is strapped to the case. When the last evidence, called for, is received, and a record thereof made on the card, the case is at once entered on the list of "completed files" in its proper order, and the claimant notified. All answers to applications for status of cases on this list are upon a blank, informing the applicant that the case is pending in the "completed files."

Examiners are required to devote their entire time during five days of the week to the consideration of cases borne upon the list of "completed files."

On Saturday of each week the entire force of examiners devote themselves to the examination of cases borne upon the pending files, to the preparation of the necessary calls for evidence in these cases, and to replies to Congressional calls.

On Friday afternoon of each week the file clerks withdraw from the pending files fifteen cases for each examiner, and have them placed upon the desks of the examiners before 4 o'clock on Friday afternoon.

For the convenient distribution and consideration of the work, this division is subdivided into sections.



Number of employés: 1 chief of division, 1 assistant chief of division, 183 clerks and messengers.

#### MIDDLE DIVISION.

This division is charged with the adjudication of all claims arising from service in organizations belonging to Pennsylvania, Ohio, and Michigan. The methods of work are the same as those indicated under the head of eastern division. This division has --- sections.

Number of employés: 1 chief of division, 2 assistant chiefs of division, 187 clerks and messengers.

#### WESTERN DIVISION.

This division adjudicates all claims arising from service in organizations credited to Indiana, Illinois, Iowa, Wisconsin, Kansas, Nebraska, Colorado, Nevada, California, Oregon, North Dakota, South Dakota, Montana, Washington, and Territories. Its methods of work are the same as in the Eastern Division.

Number of employés: 1 chief of division, 2 assistant chiefs of division, 187 clerks and messengers.

#### SOUTHERN DIVISION.

This division adjudicates all claims arising from service in organizations belonging to the District of Columbia, Maryland, West Virginia, Virginia, Kentucky, Tennessee, Missouri, Arkansas, North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi, Louisiana, Texas, and all claims arising from service of the United States Colored Troops. Its methods of work are the same as in the Eastern Division.

Number of employés: 1 chief of division, 159 clerks and messengers.

#### BOARD OF REVIEW.

The duty assigned to the Board of Review is indicated by its name, that of reviewing all the cases of the adjudicating divisions before final action is taken, whether favorable or unfavorable.

Cases submitted for the action of the Board of Review are received by the file clerks, who place them in systematic order, according to date. From that point the Files Section notes all the whereabouts of the case in its final adjudication, whether to the reviewer, to the Medical Division, to the raters, to the adjudicating divisions, and so on, so that, at any moment, an account can be given.

The chiefs of the review sections are charged with the general supervision of work in these sections.

If a reviewer needs work, his chief at once notifies the chief of the Board, and to such reviewer a certain number of cases are charged in the order of the date of their receipt. No person knows, in advance of its review, into whose hands a case will be placed for examination.

The reviewer who receives it examines the evidence, and enters his findings on the brief—the wound, injury, or disease, proved to have arisen in the service, the facts as to its continuance, or as to an alleged sequence. This action then forms the basis of the medical action in the case.

The reviewer is guided by the rulings of the Commissioner in his general work.

After the judgment of the reviewer is entered, it receives general supervision by the chief of section. All original cases for admission are again reviewed by section 1 of the Board of Review, which has that duty specially assigned to it. If concurrent action is reached, the legal status of the case is fixed, subject to the approval of the Commissioner.

All claims for increase, when no additional disability has been set up after having been once reviewed, are forwarded to the Medical Division where the rate of pension is fixed, based upon the medical examination had under the pending application.

All claims for increase in which a new disability is alleged, which are allowed, receive a second review in the Board of Review before being sent forward to the Medical Division.

All cases rejected, or to be returned to the different adjudicating divisions by reason of the insufficiency of the proof, are again reviewed in the Board of Review by persons specially assigned to that duty.

After the amount of fee to be paid the attorney has been duly noted in its proper place on the fee agreement, by clerks designated for that purpose, the case is entered on the records and sent to the Certificate Division for issue of certificate.

If the action has been unfavorable, the case is returned to the Adjudicating Division whence it came, that a letter of rejection, or one pointing out the deficiencies of proof, may be written.

Number of employes: 1 chief of division, 2 assistant chiefs of division, 60 principal examiners, 67 clerks and messengers.

#### MEDICAL DIVISION.

All questions of a medical nature and those pertaining to the rates of pension allowed are referred to the Medical Division.

The medical referee, under the direction of the Commissioner, has charge of the boards of examining surgeons, directing the methods of examinations through the "Book of Instructions."

Questions of a medical nature arising in the several divisions of the office, and questions pertaining to the rates allowed, are referred to the Medical Division by slip on the outside of the folded case. These questions are answered by slip, and returned to the division from whence they came.

In claims submitted to the Medical Division, where it is believed another medical examination is either necessary or warranted, an examination is ordered.

Examinations are also ordered by this division where it is warranted, in the following list of cases :

- (1) All original claims rejected on medical grounds.
- (2) All increase claims rejected on medical grounds in which the expediency of ordering another medical examination is dependent on new medical evidence filed.
- (3) All cases where pensioners have been reduced or dropped on medical grounds.
- (4) Cases in which examinations are to be made at home or in a hospital.
- (5) Cases in which examinations are to be made by specialists.
- (6) Cases in which examinations are to be made by civil or foreign surgeons.
- (7) All cases in which there is a question of syphilis which has not been eliminated.
- (8) All cases of insanity.

All other examinations are ordered by the division having charge of the case.

Cases in which examinations are ordered by this division have special instructions written to the examining surgeons in addition to the general instructions. The board of surgeons is then designated and separate orders are prepared, one of which is sent to the board and the other to the claimant.

A record of all orders for examinations made by the Bureau, and a corresponding record of certificates of examination received, and also of the "fails to appear," are kept in this division.

Certificates received and the accompanying accounts of the examining surgeons are compared and passed upon. The accepted certificates are sent to the proper divisions to be applied to their cases. The accounts, when found to be correct, are sent to the Finance Division.

All certificates found to be deficient in description, or in some other important matter, are returned to the boards for amendment. Accounts are also often incomplete and require to be returned for correction.

All cases received by this division are separated by the file clerks into bundles and arranged according to the date of their receipt, and also according to the terminal figure of the cases, and are so kept in the files. The work is then distributed to the medical examiners in conformity to the above plan.

The medical examiners write opinions in closed cases ; and in invalid claims submitted for final adjudication, determine the grade of disability or disabilities, and also of the results arising therefrom. From this the rate of pension is allowed and is placed upon the brief.

In widows' and dependent claims they determine whether the cause of death is attributable to disabilities legally admitted to be due to the service. Each examiner keeps a record of the cases acted upon by him.

The work is then passed upon by the medical reviewers and receives their approval, and is initialed by them, and then receives the signature of the medical referee, after which it is charged and sent to the proper division, the adjudicated work being sent to the Board of Review.

The medical referee requires all claims made special by the Commissioner, all claims on appeal submitted from the Secretary of the Interior, all claims involving the question of rating, all cases where the action of rejection is proposed in original or widows' claims, all claims involving the grade rates, and all cases involving large amounts of arrears, to be brought to his desk for personal consideration and signature.

All letters from the Commissioner in answer to correspondence from the medical boards, and upon questions concerning the rates of pension allowed, are prepared by the Medical Division.

Number of employes: Medical referee in charge, 1 assistant medical referee, 2 qualified surgeons, 38 medical examiners, 89 other employes.

#### LAW DIVISION.

The Law Division is in charge of the law clerk, whose personal attention is given to general questions of law and to questions relating to marriage, divorce, and guardianship.

It is the duty of the law clerk to prepare for publication all rulings and decisions of the Commissioner affecting the business of the Bureau, and all decisions of the Commissioner relating to the practice of the Bureau in the adjudication of pension claims, and all decisions of the Secretary of the Interior in cases appealed to and decided by him, said decisions being the ultimate or final rule of action in all similar, cases to be adjudicated by the Commissioner of Pensions, until the same be either modified or overruled by the Secretary.

He also keeps a record of all employes of the Pension Bureau who are on the pension rolls (or who are applicants for pension), with their rate of pension and salary.

This division is divided into three sections, designated as A, B, and C.

The principal duties of the force assigned to Section A, as originally organized, consisted of a critical examination and review of all claims for pension or for bounty-land which were on appeal from adverse action in this Bureau to the honorable Secretary of the Interior, re-opening such as later departmental decisions justified, and those in which manifest error in former action appeared, and of reporting in detail the material facts and law governing the official action of the honorable Secretary. The practice now prevailing in this section requires in all cases a report to the Secretary of the Interior, without consideration of the question of the present validity of the former rejection, under recent Decisions of the Department.

To Section B all complaints of criminal violation of the laws relating to pensions come for consideration and investigation. Instructions for

the proper investigation of offenses charged are distinctly formulated here. If investigation shows the absence of criminal intent, the case ends with appropriate action. Technical prosecutions are avoided, but when the occasion requires it the cases are submitted, with proper letters of prosecution, to the Secretary of the Interior for the institution of proceedings in the courts of the United States. Suits for the recovery of money illegally received are also ordered in this section. Of all these suits, whether civil or criminal, a docket record is kept. The miscellaneous correspondence of the Bureau is also carried on in this section.

Section C. The work of this section (known as the Fee Section) consists in considering and settling questions of attorneyship and fees in pension claims, and complaints against attorneys practicing before this bureau charged with demanding or receiving illegal fees, and in the writing of reports to the Secretary of the Interior on appeals of questions of attorneyship and fees, and on matters pertaining to complaints against attorneys, and their suspension and disbarment.

Letters from attorneys complaining of the action taken, denying their recognition in certain claims, are also referred to Section C. The cases are called from the files and examined, and the attorney in each case is advised as to whether or not he is entitled to recognition, and is given a full statement of the facts involved and the reason for the action taken. The case is then returned to the proper division with a slip giving the facts, and an opinion as to the attorneyship. Similar action is taken in each case referred to the adjudicating division as to either the attorneyship or the fee, as the case may be. Cases which have been allowed, but in which the fees have not been settled, are referred to this section, examined, and the proper recommendation is made to the Finance Division as to the certification of the fee.

In cases in which no fee under the law is to be paid, the attorney raising the question is advised from this section why no fee can be certified, and in cases in which the fee has been erroneously certified, the proper action is taken with a view to having the fee refunded and paid to the attorney entitled to it.

In reports to the Secretary of the Interior on complaints against attorneys charged with demanding or receiving illegal fees, all the facts are set forth, together with such recommendation as the circumstances of each case may seem to warrant.

In connection with the work thus set forth for this section, it is also required—

(1) To keep the rolls of all attorneys and agents, including all alterations and additions, and to certify at least once in every case brought into this Bureau whether the attorney is or is not recognized. This includes calls for certification on examiner's slips.

(2) To keep the rolls of all officers competent to take evidence in pension cases, including pension notaries.

(3) To keep the correspondence arising out of the foregoing subjects, including the notification to all persons not filed and the resulting correspondence.

(4) To preserve all orders to chiefs of division concerning the suspension and disbarment of attorneys, and the transfer of cases from one attorney to another, keeping a record thereof and all correspondence relating to the subject.

It is also requisite that a copy of all special acts relating to the pensioning of persons and the reports thereon be kept. Upon the receipt of the certified copy of said special act the reports therein are attached, a record made, and the same transmitted to the proper adjudicating division for action.

All general laws bearing on pension matters, as they are enacted by each Congress, are kept and promulgated immediately after the approval of the same by the President.

All applications by attorneys and claimants, under orders 151 and 155, to have cases put on the "completed files," are reviewed, and, if in proper form, are recorded and forwarded to the proper adjudicating division, and notice sent to attorney or claimant.

Number of employés: 1 law clerk in charge, 1 assistant chief of division, 38 clerks and messengers.

#### SPECIAL EXAMINATION DIVISION.

The functions of the Special Examination Division are to assist in the adjudication of claims, especially where the origin of the disability is obscure, or the witnesses are remote from claimant, and he is unable to secure their testimony, and to detect frauds by instituting special investigations in the various localities where the claimants and the witnesses reside. For this purpose a corps of special examiners has been appointed, and such examiners are assigned to the districts into which the whole country is divided, each examiner being intrusted with all cases to be investigated in the territory to which he is assigned; and if, from the circumstances of the case, it is thought proper to extend the inquiry beyond such limits, the papers are returned to the division with the proper recommendation. On their receipt in the office they are at once carefully reviewed, to determine whether further investigation shall take place, or the claims submitted to the Board of Review for final action.

On account of the large number of special examiners in the field a large force is necessarily employed in the office, that a proper record of cases may be made, claims promptly mailed to their proper destination, promptly reviewed on their return, and every effort made to prevent unnecessary delay in the adjudication of the same.

In the organization of the work the country is divided into five general divisions, each of which is placed in charge of a supervising examiner, who has supervision of the details relating thereto, each of whom

has clerks to assist in matters of correspondence and detail, the chief of division exercising general supervision over all.

Cases are received into this division from the chiefs of other divisions upon the order of the Commissioner.

The office force of the division is divided into three sections, viz, account, review, and files. The first-named is in charge of the expense accounts and daily reports of special examiners. The accounts, when received, are compared item by item with the charges contained on the daily reports, are passed upon, and either allowed or disallowed, according to the practice of the Bureau and the rules of the division.

The review section receives from the files section the cases returned with reports by special examiners with recommendation for further investigation. Cases coming from special examiners with recommendation for final action for either admission or rejection are not reviewed in this division, but passed as rapidly as possible to the Board of Review for consideration with a view to final action. Where the recommendation of a special examiner for further examination is not adhered to by the reviewers in the section, the case is sent to the Board of Review for adjudication, the reviewers in this division being satisfied, from the evidence before them, that the claim is complete.

In the files section cases are received from the adjudicating divisions through the Board of Review. They are first sent to the record clerk of the files section, who records the number of the case, the name of the claimant, the service and the date of its receipt in this division. It is then sent by the record clerk to a force of clerks in the file section, who make what is known in the division as "case slips," which are a summary of the reports furnished the Bureau from the War Department, as well as containing the name of the claimant, pensioner, or soldier, as the case may be, with his or her post-office address, the date of the receipt of the case in this division, and the date of its transmittal to a special examiner for investigation. The case slips are retained in the files in order to answer intelligently any communication or call for condition. Three clerks, known as "corresponding clerks," are employed under the immediate supervision of the supervising examiner, and they answer all communications by letter with regard to the conditions of claims in this division.

The number of special examiners in the field varies. The number of special examiners proper, as provided by law, is 150, but clerks are detailed as special examiners as the needs of the service demand.

Number of employes: 1 acting chief of division, 4 assistant chiefs of division, 5 supervising examiners, one of whom is acting chief of division; 141 clerks. and 150 special examiners in the field.

#### CERTIFICATE DIVISION.

The principal work assigned to the Certificate Division embraces the preparation and distribution to their proper agencies of pension certifi-

ates and the other necessary papers in all admitted claims, whether for original pension, for restoration, increase, re-issue, accrued, duplicate, etc.

In addition, the following are part of the duties of this division, viz:

The adjudication of claims for duplicates of lost certificates.

The transferring of names of pensioners from the roll of one agency to another upon change of the residence of the pensioner.

The issuing of "permits" upon which to draw pension-money when pension certificates are either lost or mislaid.

Daily type-written reports to the Commissioner of all issues, by name, residence, rates, etc.

Furnishing the press associations daily reports of issues.

Miscellaneous and Congressional correspondence.

#### COURSE OF PROCEDURE.

The course of procedure in the issuing of certificates is as follows:

Claims admitted for issue are received from the Board of Review at 3 p. m. each day. They are sorted, entered upon the records by name, service, etc., and a certificate number given to each original case, and the briefs then sent to the certificate section for the preparation of certificates and orders to inscribe.

The jacket section then makes up an admitted jacket admission slip, the latter for the proper adjudicating division, in each case, and forwards the papers to the notice section for the preparation of notices of admission for the claimant, attorney, and accounting officers of the Treasury, and members of Congress, fee order, and addressed envelopes. All the papers, when properly signed, are sent to the mailing section, where they are sorted, placed in envelopes addressed to the several pension agents and other proper persons, sealed, and forwarded to the mail division of the bureau.

The records are then completed by entering the dates of issue and mailing in each case, the rates, commencement, disabilities, etc.

The certificates written during each day, after being carefully reviewed, classified, and reported, are sent to the Commissioner's room for inspection and signature.

To complete an issue involves the preparation of about ten papers besides the certificates, viz: Admitted jacket, order to inscribe, admission slip, notice to claimant, notice to attorney, notice to Auditor, notice to Comptroller (Navy), press report slip, two addressed envelopes, notice to member of Congress.

Number of employés: 1 chief of division, 1 assistant chief of division, 144 clerks, and 4 messengers.

#### FINANCE DIVISION.

This division apportions and prepares for disbursement all appropriations for the payment of Army and Navy pensions, arrears of Army



and Navy pensions, fees and expenses of examining surgeons, salaries of pension agents, clerk hire, fuel, lights, and contingent expenses at the eighteen agencies for the payment of pensions.

It prepares for the signature of the Commissioner requests on the Secretary of the Interior for requisitions for all warrants on the Treasury under each of the foregoing items of appropriation, and upon all settlements made by the accounting officer of the Treasury for lost checks, refundments, and re-imbursements under section 4718, Revised Statutes.

It receives and records the accounts (weekly, monthly, and annual) of the pension agents and examines and prepares for approval the expenses of the agencies upon accounts submitted monthly.

It keeps records of all disbursements for all purposes by the pension agents and of the balances of pension funds to their official credit, as well as of all other disbursements chargeable to any of said items of appropriation, and of the balance of each in the Treasury of the United States.

It is charged with apportioning to pension agents the necessary funds for payment under each item of appropriations before recited, as well as with all records, pension vouchers, blank checks, and other blanks needed for their official use, which are directly forwarded to them by the Stationery Division of this Bureau and of the Department of the Interior.

It receives and records monthly reports from each of the eighteen pension agents, showing the additions and losses to their rolls in each class of pensioners, viz, invalids, widows, minors, mothers, fathers, survivors of the war of 1812, widows of the war of 1812, survivors of the war with Mexico, and widows of the war with Mexico.

It is charged with the settlement of all claims under the following described acts:

January 25 and March 3, 1879, granting arrears of pensions; March 1, 1879, granting civil service arrears.

It is charged with the duty of explaining to the proper pension agents the money value of all allowances covering periods for which pension was previously allowed, the cases in point being described as "re-issues."

It carries on all general correspondence with and issues necessary instructions to the various pension agents relating to their qualifications and duties, their official bonds, leases for quarters, the payment of attorneys' fees when certified by the Law Division, the acceptance or rejection of vouchers, the suspension and resumption of payment to pensioners, the notice of reduction of rates and dropping of names of pensioners from the rolls. It also submits to the Commissioner a weekly report showing the amount of funds to the credit of each agency for the payment of pensions under each item of appropriation.

Number of employes: 1 chief of division, 2 assistant chiefs of division, 17 clerks.

## ARMY AND NAVY SURVIVORS' DIVISION.

This division is charged with the duty of obtaining the names and post-office addresses of officers and comrades of the different military organizations, also of the Navy and Marine Corps, also of surgeons of the United States Army and contract surgeons who were in charge of, or on duty in, the general, post, or field hospitals throughout the loyal States during the war, or with batteries of light artillery and other independent commands, also of Union ex-prisoners of war.

The records of this division are kept upon service cards, giving name, late rank, company, regiment, dates of enlistment and discharge, and present post-office address, and are filled by company, regiment, state, and arm of service. These cards are constantly renewed and corrected by correspondence with comrades and postmasters to learn of any changes in post-office addresses. These records afford the basis of information furnished by this division for the purpose of aiding in the adjudication of pension claims in furnishing claimants the residence and post-office of comrades.

There are two classes of calls for information made on this division, viz, from the adjudicating divisions and from attorneys.

When the calls are received they are stamped with the date of receipt, entered in a book, and given out to the proper clerk, who selects the cards to be used in each call. Great care is taken to select the names of comrades whose service covers the date of incurrence of disability in the claim in which the information is desired, and in order to have the information positively accurate the call, when copied, is placed in the hands of a competent person for review, who verifies the service and addresses. Officers' cards are verified by the report of the Adjutant-General before they are copied. Calls made by the Old War and Navy Division are sent by messenger to the War and Navy Department, who obtains therefrom the name and last-known address of the officers on duty, with the company and regiment, at the date of the incurrence of claimant's disability. The present addresses of the officers are then obtained either through the files or through correspondence.

The calls containing the information desired are then returned to the division or to the attorney, as the case may be, being first checked out in the record book.

Number of employés: 1 chief of division, 1 assistant chief of division, 38 clerks.

## STATIONERY DIVISION.

The duties of this division are to take charge of all the stationery, and the printing, binding, and engraving of all blanks, record books, pension certificates, pension checks, etc., used by the Bureau, the pension agencies, the special examiners in the field, and the pension examining surgeons throughout the country.

All the stationery, printing, binding, and engraving, for the Bureau is secured by requisition, signed by the Commissioner, upon the Secretary of the Interior.

All articles received by the Bureau are issued upon properly approved requisitions, an account being kept with each division and each employé.

All applications for pamphlets, circulars, blank declarations, and other blanks furnished by the Bureau to claimants are furnished by this division. It also fills all requisitions made by pension agents, medical boards, and special examiners in the field, for blanks and other supplies.

Number of employés: 1 chief of division, 9 clerks.

#### ADMITTED FILES.

The Admitted Files has the custody of all the cases of invalid, widows', minors', and dependent pensions of the late war and of the regular Army, in which a certificate has been issued.

The admitted cases are filed in numerical order in two series—one for the invalid and the other for the widows, minors, and dependent pension cases. They are made up into packages of from twenty-five to fifty cases, according to their size, and to each package is applied a label containing the first and last numbers of the certificates inclosed.

When cases are required for any purpose whatever by the various divisions of the office, they are drawn out by means of file slips, which are carefully compared with the jackets, and when correctly made out, are substituted in their proper place in the package for the case.

Reports of pension agents of deaths of pensioners, canceled pension certificates, and miscellaneous papers not requiring action of the office are received in the file-room and filed with the proper case.

Number of employés: 1 acting chief and 19 clerks.

#### COURSE OF PROCEDURE.

The course of a claim through the Pension Bureau is outlined as follows:

All declarations for pension are received in the Mail Division, upon each of which is stamped the date of its receipt, thereafter known as the date of filing, from which certain limitations fixed by law begin to run.

The Mail Division at once forwards the claims to the Record Division, which jackets them, searches through the records to find if a former application has been filed, numbers and records them, and then acknowledges their receipt to the attorney or claimant. A search is then made through the files, where are kept the certificates of disability upon which the soldier may have been discharged. If one relating to the soldier is found it is filed with the declaration, and constitutes important record evidence.

From the Record Division those claims in which the claimant is represented by an attorney are sent to the Law Division for examination as to whether the attorney is admitted to practice before the Interior Department. That fact is indicated upon the jacket by the Law Division, after which the case is forwarded to the proper adjudicating division. Cases without attorneys are sent to such division direct from the Record Division. The adjudicating division is indicated by the State in one of the regiments of which soldier served.

The adjudicating divisions are the great corresponding divisions of the Bureau. They are organized with a chief and assistants, and are divided up into sections, each having its head, or chief, who supervises the work of the examiners composing the section, to each of which is assigned its appropriate share of the work. The claims which have been sent to these divisions from the Record and Law Divisions are taken up in their order by the examiners. The declaration is first carefully examined, as it constitutes the basis of the claim. Its execution and the identification of the soldier are looked at, and then it is taken up with reference to its subject-matter. These declarations constitute the original claims, and they are divided naturally into three great classes. The most numerous is the class of disabled soldiers. These are called invalid claims. The next are those of widows and minor children. These constitute the widows class. The third are those from dependent parents. These are designated as the dependent class.

In all these cases a record of the soldier's service is necessary, and is obtained as a first step in the examination by a call upon the War Department. In the invalid claims, the next point upon which light is necessary is the soldier's exact physical condition. This is ascertained by an examination by boards of surgeons appointed for that purpose, an order for which is issued when the War Department record is called for. These two steps will probably determine a soldier's rights under the act of June 27, 1890. If the application is under prior laws, two principal facts are to be proved—first, the origin of the disability in the service and line of duty; second, the continuance of such disability since the service.

The widow's declaration is taken up for examination with respect to the legality of her marriage, the births of her minor children by the soldier. If the claim is made under laws prior to the act of June 27, 1890, proof must be filed to show that the soldier's death was due to the service. If under the act named, the fact of the soldier's death simply, (the service required by the act having been established,) and the fact that the widow is without other means of support than her daily labor, must be shown.

In dependent claims, the fact that the soldier's death was due to the service must be proved in all cases. Then, dependence at soldier's death (if under laws prior to June 27, 1890) must be shown, or (if under the act of June 27, 1890) dependence at the time of the application.

Under orders 149, 151, and 155, appended, it is provided that when a claimant has filed all the evidence required, or called for by this Bureau, he or his attorney may cause the immediate consideration of that claim by certifying on honor that the case is completed and ready for final action. Such cases make up what is known as the "completed files," and upon such cases the entire adjudicating force of the Bureau is engaged during five days of the week.

The object of this plan is to provide a systematic and orderly method by which claims may be adjudicated.

The fact that a claim has been certified as complete by a claimant, or by his attorney, does not necessarily imply that the case is then ready for allowance; but whatever is required is immediately called for, and upon the receipt of the same the case is again placed on the completed files and receives consideration.

When in the judgment of the examiner the facts necessary to entitle the claimant to a pension under the law and rulings of the Department are proved by the War Department records, the evidence filed by the claimant or his attorney, and the medical examinations, he submits the claim for a final decision. This is done by the preparation of a brief, using an appropriate printed form. To this form the evidence is attached; first, the record, then the affidavits, then the medical examinations. This brief is signed by the examiner, and, unless a disagreement with him is reached in the Board of Review, his connection with the case ceases. The case, with the brief, is then forwarded to the Board of Review, a note of which fact is made in the adjudicating divisions for reference.

The Board of Review now takes up the case in the order of the date of its submission. Here the case is sent to a reviewer, who examines all the evidence, and if he is satisfied that final action should be taken, enters his findings of the facts upon the brief and signs them. The case then goes to another reviewer for the purpose of correcting any errors that the first may have made, who also places his initials upon the brief. If the case belongs to a class that requires medical action, it is then sent to the Medical Division, when the medical points are settled. In invalid cases, the rates of pensions are entered upon the brief by the medical examiners, reviewed by the medical reviewers, and all subject to the approval of the medical referee. After proper action in the Medical Division, all cases are returned to the Board of Review, where, in the admitted case, the rates are filled in, and cases involving high rates or large payments of money are brought to the personal attention of the Commissioner.

A final record is then made in the Board of Review, and the cases admitted are sent to the Certificate Division, where a certificate of pension is prepared for the signature of the Commissioner of Pensions and Secretary of the Interior. This is again examined, to prevent errors, and is then duly signed and transmitted to the pension agent

for payment, and the claimant and his attorney are notified of the action. The Treasury Department is also informed of the action taken, and upon this the vouchers of the pension agent are examined.

If the action upon the review now outlined has been adverse to the claim it passes from the Board of Review back to the adjudicating division, when a letter rejecting the claim is prepared for the signature of the Commissioner upon the findings of the Board of Review and the Medical Division. If the examination in the Board of Review results in a disagreement with the examiner, the reviewer notes his objections to final action—by reason of deficiency of proof or other defects in the claim, or for the purpose of suggesting steps that will give the claimant a further opportunity of establishing his claim. These objections or suggestions are also reviewed by another reviewer for the correction of any error, and are with the case returned to the examiner, subject to the right of appeal by the chief of his division.

THE FOLLOWING CLASSES OF PERSONS CAN DRAW PENSIONS UNDER EXISTING LAWS.

Under sections 4692 and 4693:

1. Any officer, including regulars, volunteers, and militia, or any officer of the Marine Corps or any enlisted man, however employed, in the military or naval service of the United States, or in its Marine Corps.
2. Any master serving on a gun-boat, or any pilot, engineer, sailor, or other person not regularly mustered, serving upon a gun-boat or war vessel of the United States, disabled by any wound or injury received, or otherwise incapacitated while in the line of duty for procuring his subsistence by manual labor.
3. Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or volunteered for the time being to serve with any regularly-organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service; but no claim of a State militiaman or non-enlisted person shall be valid, unless prosecuted to a successful issue prior to July 4, 1874.
4. Any acting assistant or contract surgeon.
5. Any provost-marshal, deputy provost, or enrolling officer disabled by reason of any wound or injury received in the discharge of his duty to procure a subsistence by manual labor.

Section 4702:

The widows and minor children of those embraced in section 4692 and 4693.

## Section 4705:

Widows of colored and Indian soldiers and their minor children.

## Section 4707:

Dependent mothers, fathers, and brothers and sisters of those embraced in sections 4692 and 4693.

## Section 4728:

Provides pensions for officers and seamen of the Navy disabled prior to March 4, 1861.

## Section 4729:

Pensions widows and minors of officers and seamen of the Navy disabled prior to March 4, 1861.

## Section 4730:

Pensions regulars or volunteers disabled in the Mexican war.

## Section 4731:

Pensions widows and children of regulars or volunteers who died by reason of injuries or disease contracted in Mexican war.

## Section 4732:

Pensions widows and minor children of persons engaged in Mexican and various Indian Wars.

## Section 4736.

Pensions soldiers and sailors who served in the war of 1812.

## Section 4738.

Pensions surviving widows of officers, soldiers, and sailors of the war of 1812.

## Section 4741.

Pensions officers and seamen of revenue-cutters who have been or may be disabled or wounded in discharge of their duty while co-operating with the Navy by order of the President

## Section 4761.

Wounded privateersmen.

## Act of March 3, 1875.

Pensions widows, children, dependent mothers and fathers, or orphan brothers and sisters of those soldiers who were murdered by guerrillas at Centralia, Mo., in 1864.

## Act of June 29, 1887.

Pensions surviving soldiers and sailors of the Mexican war and the widows of the same.

## Act of June 27, 1890.

Pensions soldiers and sailors of the war of the rebellion who served 90 days and were honorably discharged the service, and who are incapacitated for performance of manual labor, and for the widows, children, and dependent parents.

## RATES FIXED BY LAW.

Prior to July 4, 1864, the highest rate for any disability was the total of rank, which is :

Lieutenant-colonel and all officers of higher rank .....	per month..	\$30.00
Major, surgeon, and paymaster.....	do.....	25.00
Captain, provost-marshal, and chaplain .....	do.....	20.00
First lieutenant, assistant surgeon, deputy provost-marshal, and quarter-master.....	per month..	17.00
Second lieutenant and enrolling officer .....	do.....	15.00
Private and non-commissioned officer.....	do.....	8.00

The rate of pension for widows, minor children, and dependent relatives is \$8 per month to March 19, 1886, and \$12 per month thereafter, excepting in the case of widows who shall have married the deceased soldier after the passage of the act of March 19, 1886, or subsequent to his term of service if since said date, and in the case of officers, the rate in the latter case being total of rank of the deceased officer.



Disabilities.	From June 4, 1864.	From Mar. 3, 1865.	From June 6, 1866.	From June 4, 1872.	From June 4, 1874.	From Feb. 28, 1877.	From June 17, 1878.	From Mar. 3, 1883.	From Mar. 3, 1886.	From Aug. 27, 1888.	From Feb. 12, 1889.	From Mar. 4, 1890.
Loss of both hands.....	\$25.00			\$31.25	\$50.00		\$72.00				\$100.00	
Loss of both feet.....	20.00			31.25	50.00		72.00					
Loss of sight of both eyes.....	25.00			31.25	50.00		72.00					
Loss of sight of one eye, the sight of the other having been lost before enlistment.....												
Loss of one hand and one foot.....			\$25.00	31.25	50.00		72.00					
Loss of a hand or a foot.....			15.00	18.00		\$36.00		\$24.00	\$30.00			
Loss of an arm above the elbow or a leg above the knee.....			15.00	18.00	24.00			30.00	36.00			
Loss of a leg above the knee, causing inability to wear artificial limb.....			15.00	24.00				30.00				
Loss of leg at hip joint.....			15.00	24.00				\$37.50	45.00			
Loss of an arm at shoulder joint.....			15.00	18.00	24.00							
Total disability in both hands.....			25.00	31.25	50.00		72.00					
Total disability in both feet.....			20.00	31.25								
Total disability in one hand and one foot.....			25.00	24.00		36.00						
Total disability in one hand or one foot.....			15.00	18.00				24.00	30.00			
Total disability in arm above elbow or leg above knee.....									36.00			
Disability equivalent to the loss of a hand or a foot (third grade).....			15.00	18.00				24.00				
Incapacity to perform manual labor (second grade).....			20.00	24.00				30.00				
Regular aid and attendance (first grade) *.....			25.00	31.25	50.00		72.00					\$72.00
Total deafness.....				13.00						\$30.00		
Total deafness in cases of commissioned officers (see page No. 69), f.....												

\* Seventy-two dollars from June 17, 1878, only where the rate was \$50, under act of June 18, 1874, and granted to date prior to June 16, 1880. First grade proper is \$50, amended by act March 4, 1890, which increases rate to \$72.

f Total of rank (Office ruling).

## Rates fixed by Office rulings.

Disabilities.	Old rates.	From March 3, 1873.	From April 3, 1884.	From October 7, 1885.	From September 22, 1886.	From November 15, 1887.	From August 27, 1888.
Anchylosis of ankle.....	$\frac{3}{4}$		Total				
Anchylosis of wrist.....	$\frac{3}{4}$		Total				
Anchylosis of elbow joint.....	Total		$\frac{1}{2}$				
Anchylosis of knee joint.....	Total		$\frac{1}{2}$				
Anchylosis of shoulder joint.....	Total	$\frac{1}{2}$					
Loss of palm of hand and all the fingers, the thumb remaining.....	Total	$\frac{1}{2}$	$\frac{1}{2}$				
Loss of thumb, index, middle, and ring fingers.....	Total	$\frac{1}{2}$	$\frac{1}{2}$				
Loss of all the fingers, thumb and palm remaining.....	Total	$\frac{1}{2}$					
Loss of thumb, index, and middle fingers.....	Total	$\frac{1}{2}$				$\frac{1}{2}$	
Loss of thumb, index, and little fingers.....	Total	$\frac{1}{2}$				$\frac{1}{2}$	
Loss of thumb and index finger.....	Total	$\frac{1}{2}$					
Loss of thumb and little finger.....	Total			$\frac{1}{2}$			
Loss of index, middle, and ring fingers.....	Total	$\frac{1}{2}$				$\frac{1}{2}$	
Loss of index and middle fingers.....	Total						
Loss of index and little fingers.....	$\frac{3}{4}$						
Loss of middle, ring, and little fingers.....	Total	$\frac{1}{2}$				$\frac{1}{2}$	
Loss of middle and ring fingers.....	$\frac{3}{4}$						
Loss of middle and little fingers.....	Total						
Loss of ring and little fingers.....	$\frac{3}{4}$						
Loss of thumb.....	$\frac{1}{2}$		Total				
Loss of index finger.....	$\frac{3}{4}$		$\frac{1}{2}$				
Loss of any other finger without complications.....	$\frac{1}{2}$						
Loss of thumb and metacarpal bone.....						$\frac{1}{2}$	
Loss of all the toes of one foot.....	Total	$\frac{1}{2}$					
Loss of great, second, and third toes.....	Total						
Loss of great toe and metatarsal.....	Total						
Loss of great and second toes.....	$\frac{3}{4}$					Total	
Loss of great toe.....	$\frac{1}{2}$					$\frac{3}{4}$	
Loss of any other toe and metatarsal.....	$\frac{1}{2}$					$\frac{3}{4}$	
Loss of any other toe.....	$\frac{1}{2}$						
Chopart's amputation of foot, with good results.....	Total	$\frac{1}{2}$					
Perigoff's modification of Syme's (no equivalent).....	Total	$\frac{1}{2}$	$\frac{1}{2}$				
Loss of one eye.....			$\frac{1}{2}$				
Loss of sight of one eye.....	$\frac{1}{2}$		Total				
Double inguinal hernia.....	$\frac{3}{4}$		$\frac{1}{2}$				
Inguinal, scrotal, or ventral hernia.....	$\frac{1}{2}$		Total				
Small varicocele.....	$\frac{1}{2}$						
Well-marked varicocele.....	$\frac{1}{2}$						
Deafness of both ears nearly total—							
Lieutenant-colonel or higher rank.....	\$22.50					\$26.25	\$27.00
Major.....	18.75					21.87 $\frac{1}{2}$	27.00
Captain.....	15.00					17.50	27.00
First lieutenant.....	12.75					16.00	27.00
Second lieutenant.....	11.25					14.00	27.00
Private or non-commissioned officer.....	6.00		\$10.00	\$12.00			27.00

*Rates fixed by Office rulings—Continued*

Disabilities.	Old rates.	From March 3, 1873.	From April 3, 1884.	From October 7, 1885.	From September 22, 1886.	From November 15, 1887.	From August 27, 1888.
<b>Total deafness of one ear and severe of other—</b>							
Lieutenant-colonel or higher rank.....	15.00		22.50			26.25	25.00
Major.....	12.50		18.75			21.875	25.00
Captain.....	10.00		15.00			17.50	25.00
First lieutenant.....	8.50		12.75			16.00	25.00
Second lieutenant.....	7.50		11.25			14.00	25.00
Private or non-commissioned officer.....	4.00		9.00	12.00			25.00
<b>Severe deafness of both ears—</b>							
Lieutenant-colonel or higher rank.....	15.00		22.50			26.25	22.00
Major.....	12.50		18.75			21.875	22.00
Captain.....	10.00		15.00			17.50	22.00
First lieutenant.....	8.50		12.75			16.00	22.00
Second lieutenant.....	7.50		11.25			14.00	22.00
Private or non-commissioned officer.....	4.00		8.00	12.00			22.00
<b>Total, nearly total, or severe deafness of one ear and slight of other—</b>							
Lieutenant-colonel or higher rank.....	7.50		15.00			22.50	20.00
Major.....	6.25		12.50			18.75	20.00
Captain.....	5.00		10.00			15.00	20.00
First lieutenant.....	4.25		8.50			13.00	20.00
Second lieutenant.....	3.75		7.50			10.00	20.00
Private or non-commissioned officer.....	2.50		5.00			8.00	20.00
<b>Slight deafness of both ears—</b>							
Lieutenant-colonel or higher rank.....	7.50					15.00	15.00
Major.....	6.25					12.50	15.00
Captain.....	5.00					10.00	15.00
First lieutenant.....	4.25					9.00	15.00
Second lieutenant.....	3.75					8.00	15.00
Private or non-commissioned officer.....	2.50		4.00			6.00	15.00
<b>Total, nearly total deafness, of one ear—</b>							
Lieutenant-colonel or higher rank.....	7.50		7.50			11.25	10.00
Major.....	6.25		6.25			9.375	10.00
Captain.....	5.00		5.00			7.50	10.00
First lieutenant.....	4.25		4.25			6.00	10.00
Second lieutenant.....	3.75		3.75			5.00	10.00
Private or non-commissioned officer.....	2.50		2.50			4.00	10.00

NOTE: In the case of more than one disability the combined rating can not exceed 47, excepting in the case of officers, the total of whose rank exceeds this amount, or in the case where the specific rating for one of the disabilities itself is in excess of 47. In no other case can any rating exceed 47, unless it is shown that the disability or disabilities from pensioned causes are equivalent to the loss of a hand or foot, the next higher rate, which is \$24.

Order No. 145.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
Washington, D. C., November 4, 1889.

For the convenient transaction of the business of the Bureau the following assignment of duties is made:

(1) The First Deputy Commissioner will supervise the business arising in the following-named divisions: Eastern Division, Southern Division, and Army and Navy Survivors' Division.

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(2) The Second Deputy Commissioner will supervise the business arising in the following-named divisions: Middle Division, Western Division, and Old War and Navy Division.

(3) All cases involving intricate questions of law or fact will be brought to the personal attention of the Commissioner for his action by the proper Deputy Commissioner.

(4) All claims involving a large first payment, and all claims involving monthly payments of more than \$12, shall be brought to the personal attention of the Commissioner, by the proper Deputy Commissioner, in conjunction with the proper heads of divisions.

(5) The chief clerk will have the supervision of the following-named divisions: Record Division, Stationery and Accounts Division, Mail Division; also the force of messengers, laborers, etc.

The chief clerk will also have the general supervision of the business of the Bureau and take care that proper discipline is maintained and that the business is conducted in an orderly and business-like manner, reporting immediately to the Commissioner any neglect, misconduct, or inefficiency of the clerical force.

He will see that a proper and prompt acknowledgment is made of all letters and documents received.

He will also see that claims are taken from the files for consideration in their proper order as to precedence.

He will see that the Pension Bureau building and grounds are put in perfect order and so kept, and to this end he will carefully inspect the force of messengers, laborers, and messenger boys as to their fitness for the work required of them.

(6) The following-named divisions will be under the immediate supervision of the Commissioner: Medical Division, Law Division, Board of Review, Board of Rereview, Special Examination Division, Certificate Division, and Finance Division.

(7) The pending claims now on file in this Bureau constitute so great a mass, that it is a physical impossibility to give them all immediate consideration.

I am anxious that the Bureau shall meet the just expectations of claimants and the public in the amount of business transacted and the manner in which the duties are performed. To this end I enjoin upon the entire official force—those on duty here in Washington, those assigned to duty as special examiners, and the boards of medical examiners—promptness, diligence, and fidelity in the performance of every duty.

Recommendations for promotion will be made upon merit. The inefficient will be recommended for retirement.

GREEN B. RAUM,  
*Commissioner.*

#### THE CARE OF THE PENSION OFFICE BUILDING.

Order No. 146.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., November 4, 1889.*

This building and the grounds must immediately be put in perfect order and in future be kept clean and free from dirt and dust; and to that end it is ordered:

(1) The chief clerk shall at once provide suitable covers of cotton cloth for all the desks and tables in use.

He shall also provide feather dusters, water buckets, scrubbing brushes, soap, ammonia, sapolio, brooms, and long-handled hair brushes in suitable quantities for the work in hand.

(2) All persons employed on the laborers' force except two are hereby returned from messenger duty, and will at once report to the superintendent, who will immediately put them to work cleaning the building.

The file cases in the court must be dusted; the tile floor throughout the entire building and the stairways must be immediately scoured.

(3) Hereafter the south, north, and west entrances shall be scoured daily.

The file cases in the court shall be dusted daily.

The tile floor in the main hall inside shall be swept three times per week and scoured at least once a week.

The tile floor of the corridors and the stairway shall be swept daily after 4 p. m. and scoured three times per week.

All cuspidors shall be cleaned daily before or after office hours.

The intention is to have the building clean and in perfect order each morning at 9 o'clock.

The ice shall be cared for immediately after its receipt, and no slop must be made in washing it.

The east entrance and the driveway shall be kept scrupulously clean, the superintendent shall impose upon some certain person the duty of performing this work.

The water coolers outside the rooms will be cared for by the laborers' force, and the slops all promptly emptied when necessary.

The messengers will care for the water coolers and pitchers in the rooms, and put on and take off the cloth covers of the desks and tables.

Heads of divisions will require all waste paper and litter to be deposited in baskets so as to reduce to the minimum the labor of cleaning the rooms.

They shall also require all clerks to put their desks in proper order upon leaving them.

The messengers and messenger boys will be required every evening to properly dust the desks and tables before covering them.

Smoking by the official force is prohibited in the working rooms of the divisions and corridors during office hours.

Spitting tobacco juice upon the tile floors is expressly prohibited.

GREEN B. RAUM,

*Commissioner.*

Order No. 148.]

DEPARTMENT OF THE INTERIOR.

BUREAU OF PENSIONS.

*Washington, D. C., November 25, 1889.*

(1) Great care must be exercised in the rejection of applications for pension. No case should be rejected until every available source of information has been examined unless the rejection be clearly upon legal points.

All letters rejecting claims shall be brought to the desk of the Commissioner for signature.

(2) No rejected claims will be re-opened, except upon new and material evidence going to the cause of rejection.

The deputy commissioners will have jurisdiction to re-open claims in the divisions respectively assigned to their charge.

In all cases where evidence is filed for the re-opening of cases, the heads of adjudicating divisions will, at the proper time, cause to be prepared a brief statement of the facts on slips for the action of the deputy commissioner, who shall note his action thereon, whereupon the claimant shall be immediately informed by letter of the action of the office.

GREEN B. RAUM,

*Commissioner.*

Order No. 149.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., December 23, 1889.*

The files of pending claims in each division shall at once be examined, counted, and proper account taken of the same.

Where a claim, upon inspection of the jacket and testimony strapped to the case, seems to be complete, a proper record shall be made of the claim on a card prepared for that purpose, and the case shall be kept upon a list known as the "completed files," and these cases shall be considered in the order of the filing of the last piece of evidence.

Upon examination of these cases, if it is found that another call for evidence is required, such call shall be made, and the case returned to the files of pending cases to await the reply to the call. When the evidence in response to that call is furnished, the claim shall at once be restored to the list of "completed files" and the claimant notified.

Placing a claim on the list of "completed files" shall not be considered as a favorable adjudication of the claim. This arrangement is intended simply to secure the consideration of the claims which are apparently completed at the earliest possible date. The "completed files" shall also be arranged so as to separate the original cases from the increase cases.

Hereafter all calls for evidence shall be made upon blanks which shall indicate by number the nature of the call, and a record of such call shall be made upon a card, opposite the number on the card corresponding with the number of the call in the blank.

Claimants and their attorneys are urgently requested to prepare their evidence in response to these calls according to the number, and to endorse on the back of the evidence "Reply to call No. \_\_\_\_\_, 18\_\_\_\_."

These "calls for evidence" cards shall be strapped to the case, and as the evidence in reply to the call is received the file clerk shall immediately record the date of the receipt of the evidence at the proper number of the call, and this new evidence shall be strapped to the case.

When the last evidence called for is received and a record thereof made on the card, the case shall at once be entered on the list of "completed files" in its proper order and the claimant notified.

All answers to applications for status of cases on the list of "completed files" shall be upon a blank, informing the applicant that the case is pending in the "completed files."

Hereafter the order of procedure in original cases shall be as follows:

1) The Mail Division shall deliver all applications for pension to the Record Division on the day received.

2) The Record Division shall promptly make a record of the case, give it a number, and acknowledge the receipt of it, and refer it to the proper division.

3) A call shall be made upon the Secretary of War for a report of the military service and hospital record of the claimant.

4) An order for the medical examination of the claimant shall be made, and a call shall be made upon the claimant for such evidence as seems necessary to complete the case upon blanks which shall habitually use the same number for the same call. A proper record card shall be made for the case and the case put upon the files of pending claims. When the last piece of evidence called for has been received and a record made of the same upon the card, the case shall be placed upon the list of "completed files" to be considered in its order.

Chiefs of division shall require examiners to devote their entire time during five days of the week to the consideration of cases borne upon the list of "completed files."

On Saturday of each week the entire force of examiners shall devote themselves to the examination of cases borne upon the pending files and in the preparation of the necessary calls for evidence in those cases. On Friday afternoon of each week the file clerks shall withdraw from the pending files fifteen cases for each examiner and have them placed upon the desks of the examiners before 4 o'clock on Friday afternoon.

GREEN B. RAUM,  
*Commissioner.*

Order No. 151.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., January 6, 1896.*

Claimants are hereby authorized to apply to the Commissioner of Pensions to have their claims placed upon the list of "completed files" for immediate consideration.

Such applications may be made by the claimants or their attorneys of record, and shall set forth—

(1) That the declaration has been made in due form, stating the proper service of the soldier and the facts as to incurrence of his disability in and his discharge from the service.

(2) That the proof establishes that the disability alleged in the declaration was incurred in the service and line of duty.

(3) That the proof connects the present disability for which pension is claimed with wounds or diseases incurred in the service, and establishes the fact of disability during any past pensionable period.

(4) That the claimant has, with the authority of the Bureau of Pensions, had a regular medical examination in respect to the disability described and claimed for in the declaration.

(5) That, in the opinion of the claimant, the claim is fully made out and complete.

In the claims of widows it must be alleged that proof has been made showing that the soldier died of an injury or disease contracted in the service and that claimant is the soldier's widow.

In the case of dependent relatives it must be stated that the proper proof of dependence has been filed in the claim and that the soldier left no widow or minor children.

If the application is made by the attorney of record, in addition to the other statements required, he shall certify upon honor that, after a careful consideration of the case, he is of the opinion that the case is complete.

Claims placed upon the list of "completed files" under this order will be considered in the order of the date they are so placed.

This order does not apply to rejected cases.

GREEN B. RAUM,  
*Commissioner.*

Order No. 154.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., April 22, 1896.*

(1) Where a call for all the evidence necessary to complete a pension claim has been made upon the claimant or his attorney, the status of such case will not be furnished by the Pension Office until the call has been answered.

(2) When, in the course of adjudication, a pension claim has reached the Board of Review, the status of said case will not be furnished.

GREEN B. RAUM,  
*Commissioner.*

## COMPLETED FILES.

Order No. 155.]

## DEPARTMENT OF THE INTERIOR.

## BUREAU OF PENSIONS,

*Washington, D. C., July 1, 1890.*

Claimants are hereby authorized to apply to the Commissioner of Pensions to have their claims, under the provisions of the act approved June 27, 1890, placed upon the list of "completed files" for immediate consideration.

Such application may be made by claimants or their attorneys of record, and shall set forth—

(1) That the declaration has been made in due form stating the proper service, the fact of honorable discharge, and a period of service of not less than ninety days.

(2) That the proof establishes the fact that the disability alleged in the declaration is not due to the vicious habits of the claimant, and is of a permanent character to such an extent that he is unable to earn a support by manual labor.

(3) That the claimant has, with the authority of the Commissioner of Pensions, had a regular medical examination in respect to the disability described and claimed for in the declaration.

(4) That in the opinion of the claimant the claim is fully made out and is complete.

If the application is made by the attorney of record for the placing of the claim upon the "completed files," in addition to the other statements required, he shall certify upon honor that, after a careful consideration of the case, he is of the opinion that the same is complete.

Claims placed upon the list of "completed files," under this order, will be considered in the order of the dates they are so placed. Claimants are requested, when their claims are complete, to make application to have them placed upon the "completed files," in accordance with the order above given.

This order *will not* apply to *rejected* cases.

GREEN B. RAUM,

*Commissioner.*

## DEPARTMENT OF THE INTERIOR.

## BUREAU OF PENSIONS.

*Washington, D. C., September 12, 1890.*

Order No. 161.]

Hereafter in a case rejected by this office and upon appeal to the Secretary the rejection has been affirmed, an order for re-opening the same upon additional evidence filed shall not take effect until the same has been submitted to the Secretary of the Interior for his approval.

GREEN B. RAUM,

*Commissioner.*

Order No. 162.]

## DEPARTMENT OF THE INTERIOR.

## BUREAU OF PENSIONS.

*Washington, D. C., September 26, 1890.*

For the purpose of securing the prompt adjudication of claims filed under the act of June 27, 1890, it is ordered as follows:

(1) That in all original invalid claims where the claimant, under the act of June 27, 1890, has a claim under previous laws granting pensions for service in the Army or Navy of the United States during the late war of the rebellion, whether upon the pending or rejected files, the proofs in that claim shall be considered in connection with the new claim; and where the proofs in the old claim and a medical examina-



tion had within two years previous to the filing of the new claim establish the facts of an honorable discharge after ninety days' service, and of the existence of a disability of a permanent character not the result of vicious habits, and which incapacitates the claimant from the performance of manual labor in such a degree as to render him unable to earn a support, the new claim shall be adjudicated upon the proofs on file. But in all cases where the new declaration claims for disabilities which are not set forth in the original claim a medical examination shall be ordered where the interests of the claimants seem to require it, or where such examination is requested by the claimant.

(2) That in all original widows' cases when the claimant, under the act of June 27, 1890, has a claim filed under previous laws, whether upon the pending or rejected files, the proof in that claim shall be considered in connection with the new application. The points necessary to establish are the following:

First. An honorable discharge of a soldier after ninety days' service.

Second. The death of the soldier.

Third. The marriage of the claimant with the deceased soldier prior to June 27, 1890.

Fourth. The names and dates of the birth of any surviving children of the soldier under sixteen years of age.

Fifth. That the claimant has not remarried.

Sixth. That the claimant is without other means of support than her daily labor.

Upon consideration of the claim, if the evidence is found to be insufficient, a call will be made upon the claimant for all the evidence necessary to complete the claim. Claimants should supply such evidence as they may know to be wanting in advance of any call for the same.

(3) In claims under the act of June 27, 1890, where a claimant applies for a pension under said act for a disability of a permanent character, for which he is already pensioned at a rate less than \$12 per month, under the laws granting pensions to soldiers or sailors of the United States who served during the war of the rebellion, and it shall appear from the proofs on file that he served for ninety days and was honorably discharged, a medical examination shall be ordered to determine to what degree his disabilities incapacitate the claimant from earning a support by manual labor, and the claim shall be adjudicated thereupon.

(4) In claims filed under the act of June 27, 1890, where it appears that the claimant is a pensioner at a less rate than \$12 per month under previous laws granting pensions to soldiers or sailors of the United States who served during the war of the rebellion, the evidence filed in his admitted claim shall be considered in connection with his new claim, and if it shall appear from the declaration and proofs on file and a medical examination had within two years previous to the filing of the new claim, that the soldier is suffering from disabilities for which he is not pensioned, and that his disabilities are of a permanent character which incapacitate him from earning a support by manual labor, and are not the result of his own vicious habits, the claim shall be adjudicated upon the proofs on file unless a new medical examination shall be deemed necessary or is requested by the claimant.

(5) In claims filed under the act of June 27, 1890, where the claimant has not applied for a pension under any other act, the proof required to establish a claim will be:

First. Proof of service for ninety days or more in the military or naval service of the United States during the late war of the rebellion, and an honorable discharge therefrom.

Second. Proof that the claimant is suffering from a mental or a physical disability of a permanent character, not the result of his own vicious habits, which incapacitates him from the performance of manual labor in such a degree as to render him unable to earn a support.

Medical evidence and the sworn statements of neighbors will be considered upon the question of disability, but a medical examination will be required to determine

the degree of disability of the claimant. An order for examination in such cases will be made as soon as the claim is reached in its order.

The facts of service and honorable discharge in all claims under the act of June 27, 1890, must be shown by reports from the records of the War Department, which will be called for by the Bureau of Pensions.

(6) The cases of dependent parents under the act of June 27, 1890, require proof that the soldier's death was due to his service without reference to the length of such service, that he left no widow or minor children, and that such parent or parents are without other present means of support than their own manual labor or the contributions of others not legally bound for their support.

(7) Claims filed under the act of June 27, 1890, shall be taken up for adjudication in their regular order, and all necessary action had so that they shall be disposed of without delay.

GREEN B. RAUM,  
*Commissioner.*

Approved :

JOHN W. NOBLE,  
*Secretary of the Interior*

Ruling No. 233.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., July 9, 1889.*

Rulings 167 and 174, also the ruling laid down in the E. A. Tucker case, reported in volume 1, decisions of the Department of the Interior, page 1, are rescinded.

In accordance with the principles laid down in the case of Ollie M. French, widow of Jefferson A. French, certificate No. 3437, Acting Volunteer Lieutenant-Commander U. S. S. *W. H. Brown*, it is held that the pensioner has the right to surrender a certificate issued under a special act and prosecute under the general law; also when a claim has been rejected under the general law for want of specified evidence required by this Bureau and the said claimant is afterward placed on the pension-roll by special act, he shall not be precluded thereby from perfecting his claim under the general law where the necessary evidence is afterward discovered, and that it shall carry with it arrears, provided the original claim was filed in time.

Ruling 149 and 196 are modified to agree with the above case.

JAMES TANNER,  
*Commissioner.*

NO. 26552. CLARRUSSA HOWK, DECEASED, MOTHER OF ABRAHAM V. HOWK COMPANY B. TWENTY-FIRST MICHIGAN VOLUNTEER INFANTRY.

Ruling No. 235.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., December 2, 1889.*

The question in this case relates to the manner of disposition of the accrued pension.

With relation to the payment of accrued pension, the act of March 1, 1889, refers to three classes of cases:

- (1) As to what may be considered payment of pension.
- (2) As to the payment of the amount of pension accrued subsequent to the last quarterly payment; and
- (3) Payment in cases where a pension certificate shall have been issued and the pensioner dies before payment shall have been made, *i. e.*, the death must have taken place after the issue of the certificate.

Attention is called to the fact that the decisions of the Secretary and the Attorney-General relate only to the last class, inasmuch as the word "hereafter" is used in the proviso to the act of March 1, 1889, relating only to that class.

The act of March 1, 1889, does not repeal the provisions of section 4718 of the Revised Statutes, and except as that section is modified with respect to the three classes enumerated above its provisions are in force.

It follows, therefore, that in adjudicating an original claim for pension when pensioner's death is known to this Bureau and the certificate does not issue until after that event, the payment of the pension must be made in accordance with the provisions of section 4718 of the Revised Statutes, whether the pensioner died before or after March 1, 1889.

The date of the death is material with respect to only one provision of the act of March 1, that stated in the third paragraph above.

In this case the claimant died September 16, 1889, before the allowance of the case or the issue of the certificate, which was dated November 15, 1889, so that there is no state of facts provided for by the act of March 1, 1889, and the accrued pension will be subject as to its disposal to the provisions of section 4718, Revised Statutes, for re-imbursment of last sickness and burial.

GREEN B. RAUM,  
*Commissioner*

CERTIFICATE NO. 25917. CLAIMANT, CHARLES JAHNKE, PRIVATE, COMPANY H,  
SECOND MINNESOTA VOLUNTEERS. APPLICATION FOR INCREASE.

Ruling No. 236.]

DEPARTMENT OF THE INTERIOR,  
BUREAU OF PENSIONS,  
*Washington, D. C., January 16, 1890.*

The claim in this case is for an increase of pension from \$24 to \$30, on account of an alleged total disability of the hand, caused by gunshot wound.

The claimant appeared before me, and I caused an examination to be made by the medical referee as to the actual disability of the claimant. The law grants a pension of \$30 per month for the loss of a hand (act August 4, 1886), and for such injuries to the hand as amount to a total disability.

In considering the question of total disability of the hand it must be understood that in each case it is a question of fact. Under the law the impairment of this member must be such as to amount to a total disability, *i. e.*, the use of the hand must be actually destroyed for all practical purposes. The law fixes \$30 as the rate for the loss of a hand. If the hand or any portion of it remains and a claim is made for a pension of \$30, it is obvious that the disability must be equal to the loss of a hand. In this case the thumb and little finger remain, but the hand has been so mutilated by the wound and the flexibility of the little finger has been so totally destroyed that there is nothing left to this claimant of the hand that is subject to his control except the thumb, and that is of no practical use to him because there is no other portion of the hand that can be brought in opposition with it.

The claimant is therefore, in my opinion, entitled to a rating of \$30 per month for a total disability of the hand.

GREEN B. RAUM,  
*Commissioner*

